

ORDINANCE NO. 030731-45

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3808 SPICEWOOD SPRINGS ROAD FROM NEIGHBORHOOD COMMERCIAL (LR) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from neighborhood commercial (LR) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-03-0081, on file at the Neighborhood Planning and Zoning Department, as follows:

A 5,274 square foot tract of land, more or less, out of the Jas M. Mitchell Survey, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 3808 Spicewood Springs Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

The following uses of the Property are prohibited uses:

Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Business or trade school	Business support services
Commercial off-street parking	Communication services
Exterminating services	Funeral services
General retail sales (general)	Hotel-motel
Indoor entertainment	Indoor sports and recreation
Medical offices (exceeding 5000 sq. ft.)	Outdoor sports and recreation
Pawn shop services	Personal improvement services
Research services	Restaurant (drive-in, fast food)
Theater	Community recreation (private)
Community recreation (public)	Congregate living
Hospital services (limited)	Residential treatment

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

PART 3. The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on August 11, 2003.

PASSED AND APPROVED

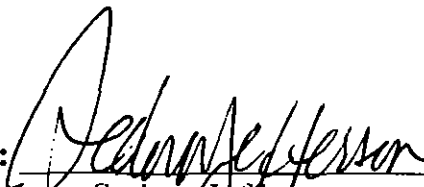
_____, July 31 _____, 2003

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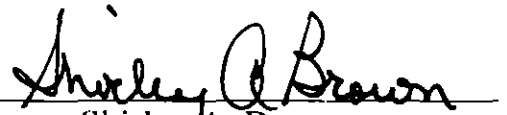


Will Wynn
Mayor

APPROVED:


Sedora Jefferson
City Attorney

ATTEST:


Shirley A. Brown
City Clerk

DESCRIPTION

OF A 5274 SQUARE FEET TRACT OF LAND BEING OUT OF AND A PART OF THE JAS M. MITCHELL SURVEY, SITUATED IN TRAVIS COUNTY, TEXAS, ALSO BEING OUT OF LOT 1, RESUBDIVISION OF LOT 2, BALCONES WEST SECTION 3 AS RECORDED IN BOOK 93, PAGE 23-24 OF THE TRAVIS COUNTY PLAT RECORDS, SAID 5274 SQUARE FEET BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS,

Commencing at a P K. Nail Found at the Northwest corner of Lot 2, Resubdivision of Lot 2, Balcones West Section 3 as recorded in Book 93, Page 23-24 of the Travis County Plat Records, and the Southwest corner of Lot 1 of the said Resubdivision of Balcones West Section 3, also being in the East Right-of-Way of Spicewood Springs Road (Right-of-Way Varies);

Thence, $N08^{\circ}49'47''W$, with the West line of the said Lot 1 and the East line of the said Spicewood Springs Road, for a distance of 150.50' feet to a 1/2" Iron Rod Found, at a Point of Curvature of a curve to the Left;

Thence with a curve to the Left having a Central Angle of $03^{\circ}03'56''$, a Radius of 726.00', Chord Bears $N10^{\circ}19'15''W$ for a distance of 38.84', for an Arc distance of 38.84', to a Calculated Point;

Thence, $N78^{\circ}08'47''E$, crossing the said Lot 1 for a distance of 127.46' feet to the Westerly Northwest corner of a building, for the **Point of Beginning**;

Thence crossing the said Lot 1 for the following four (4) consecutive courses:

1) $N36^{\circ}28'13''E$, with the outside wall of said building, for a distance of 7.07' feet to the Northerly Northwest corner of a building;

2) $N08^{\circ}45'51''W$, with an Iron Fence, for a distance of 5.00' feet to a Fence Corner;

3) $S81^{\circ}14'09''W$, with an Iron Fence, for a distance of 9.17' feet to a Fence Corner;

4) $N08^{\circ}45'51''W$, with an Iron Fence, for a distance of 12.74' feet to the North line of the said Lot 1;

Thence, $N87^{\circ}10'44''E$, with the North line of the said Lot 1, for a distance of 73.06', to a point;

Thence crossing the said Lot 1 for the following seven (7) consecutive courses,

- 1) S08°45'51"E, with an Iron Fence, for a distance of 35.18' feet to a Fence Corner;
- 2) S81°14'09"W, with an Iron Fence, for a distance of 8.50' feet to the most Easterly Northeast corner of a building;
- 3) S08°45'51"E, with the outside wall of said building, for a distance of 32.40' feet to point along the wall of a building;
- 4) S81°14'09"W, crossing through a building, with interior walls along the South edge of the Triumph Cafe space, 30.42' feet, to an interior corner of a wall;
- 5) S08°45'51"E, crossing through a building, with interior walls along the South edge of the Triumph Cafe space, 22.32' feet, to an interior corner of a wall;
- 6) S81°14'09"W, crossing through a building, with interior walls along the South edge of the Triumph Cafe space, 29.60' feet, to the front outer wall of a building;
- 7) N08°45'51"W, with the outside wall of said building, for a distance of 74.74' feet to the Place of Beginning, containing 5274 Square Feet of Land Area.

The bearings for the above description are based upon the Resubdivision of Lot 2 Balcones West Section 3 as recorded in Book 93, Page 23-24, Travis County, Texas.

STATE OF TEXAS)(

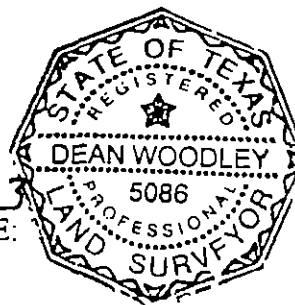
COUNTY OF TRAVIS)(

I hereby certify that this field note description was prepared from the results of an actual survey made on the ground under my supervision and that it is true and correct to the best of my knowledge.

LIVE OAK SURVEYING
12421 Wycliff Lane
Austin, Texas 78727-5220

DEAN A. WOODLEY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5086

DATE: 5-9-2003



LEGEND

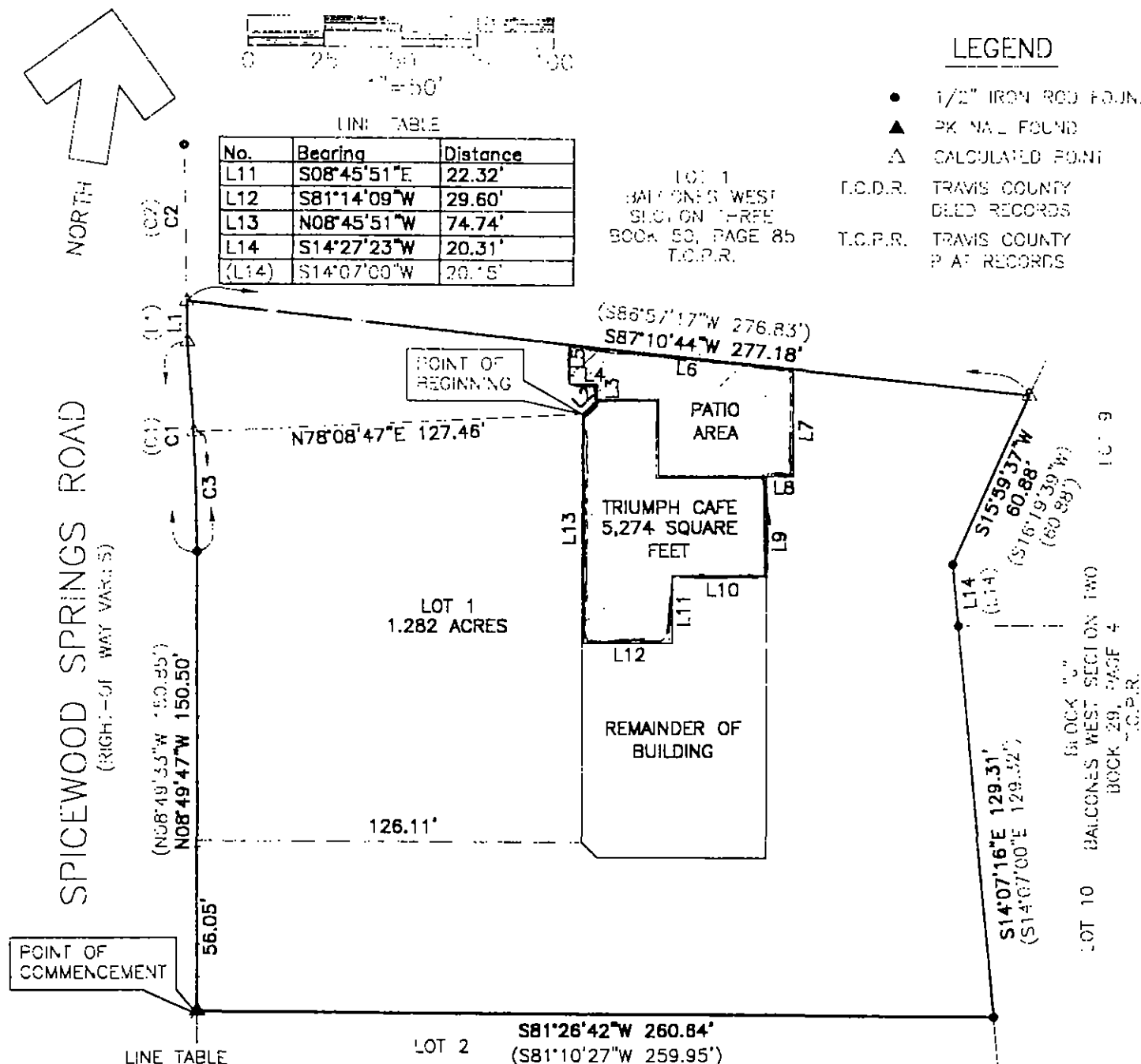
- 1/2" IRON ROD FOUND
- ▲ PK NAIL FOUND
- △ CALCULATED POINT
- T.O.D.R. TRAVIS COUNTY DEED RECORDS
- T.O.P.R. TRAVIS COUNTY PLAT RECORDS

LINE TABLE

No.	Bearing	Distance
L11	S08°45'51"E	22.32'
L12	S81°14'09"W	29.60'
L13	N08°45'51"W	74.74'
L14	S14°27'23"W	20.31'
(L14)	S14°07'00"W	20.15'

LOT 1
BALCONES WEST
SECTION THREE
BOOK 50, PAGE 85
T.O.P.R.

T.O.D.R. TRAVIS COUNTY
DEED RECORDS
T.O.P.R. TRAVIS COUNTY
PLAT RECORDS



LINE TABLE

No.	Bearing	Distance
L1	N08°44'33"W	13.21'
(L1)	N09°44'33"W	13.21'
L2	N36°28'13"E	7.07'
L3	N08°45'51"W	5.00'
L4	S81°14'09"W	9.17'
L5	N08°45'51"W	12.74'
L6	N87°10'44"E	73.06'
L7	S08°45'51"E	35.18'
L8	S81°14'09"W	8.50'
L9	S08°45'51"E	32.40'
L10	S81°14'09"W	30.42'

LOT 2
S81°26'42"W 260.84'
(S81°10'27"W 259.95')

CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	05°23'47"	726.00	68.38	68.35	N11°29'11"W
(C1)	05°22'07"	726.00	68.02	68.00	N11°30'33"W
C2	00°51'58"	3377.45	51.06	51.06	N10°04'00"W
(C2)		3377.45	51.09	51.07	N10°04'00"W
C3	03°03'56"	726.00	38.84	38.84	N10°19'15"W

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CLIENT: NANCY BUI
FIELD BOOK: 58, PAGE: 48
DRAWN BY: G.J.S.
PROJECT NO.: 589-01-03
DATE: 04-22-2003
FILE: 5890103.DWG

SKETCH TO ACCOMPANY FIELD NOTES
OF TRIUMPH CAFE
BEING A PORTION OF LOT 1
RESUBDIVISION OF LOT 2, BALCONES WEST SECTION 3
AS RECORDED IN BOOK 93, PAGES 23-24
TRAVIS COUNTY, TEXAS



**LIVE OAK
SURVEYING**
12421 WYCLIFF LANE
AUSTIN, TX 78727-5220
(512) 837-1018

